

REMARKS

Acknowledgement and Summary of Interview

The examiner's courtesy in granting Applicant's representative a personal interview to discuss this application on August 9, 2007 is acknowledged with thanks. At the conference, the claims of the application were discussed and the non-patent literature document of Payette also was discussed.

During the interview, Applicant's attorney pointed out why Applicant did not agree with the examiner's characterization that Payette anticipated or rendered obvious the claims of this application considered alone or in combination with other prior art documents, in particular the examiner's contention that the VS controller in Payette inherently would include the input system as recited in the claims and inherently would have a synchronizing function that would permit virtual shafts to be unsynchronized with one another.

At the conclusion of the interview, the examiner conceded that clarification of the independent claims involving the recitation of drive motors synchronized so that the motors are synchronized with the virtual synchronization shaft at one or more predefined angular positions only, and are driven by the drive motors independently of each other irrespective of synchronization with each other and the virtual synchronization shaft at positions other than said one or more predetermined angular positions by operating the drive motors independently of each other at the other positions, would be beneficial towards improving the clarity of the intended claim meaning. Applicant's attorney indicated that he would consider amending the independent claims in this manner in order to place the application fully in condition for allowance.

Claim Rejections - 35 U.S.C. §102

Claims 1 and 6 have been amended to specifically recite that synchronization of the drive elements driven by the drive motors is carried out so that the elements are

synchronized with the virtual synchronization shaft at one or more predefined angular positions only, and are driven by the drive motors independently of each other irrespective of synchronization with each other and the virtual synchronization shaft at positions other than said one or more predetermined angular positions by operating the drive motors independently of each other at the other positions.

Accordingly, it is respectfully submitted that the claims define the invention in terms that avoid any possible conflict with the Payette publication, which fails to show or teach the method and apparatus of independent claims 1 and 6.

In view of the patentability of claims 1 and 6, the dependent claims 2-5 and 7-19 are likewise patentable on the basis of the patentability of the independent claims from which they depend. Moreover, each of the dependent claims recites subject matter further defining the subject matter recited in the claims from which they depend in a manner patentably distinct over the cited prior art.

Claims Rejections - 35 U.S.C. §103

With regard to the rejection of claims 10, 12-17 and 19 as unpatentable over Payette in view of Applicant's statements in the Background of Invention, it is respectfully submitted that these claims are patentable in view of the comments made above with regard to claim 6, and furthermore these claims recite loom elements independently driven by drive motors whose synchronization is regulated by the synchronization arrangement recited in claim 6. It is respectfully submitted that these claims are fully patentable over the cited prior art for the reasons given above in the discussion of the patentability of the other claims.

Withdrawal of the rejections of all the claims is respectfully requested in view of the comments and amendments submitted herein.

Showing Under 37 C.F.R. §1.116

It is respectfully submitted that entry of this amendment is appropriate under 37 C.F.R. §1.116 as the amendments clarify the intended meaning of the independent claims 1 and 6 following a dialogue between the examiner and Applicant's attorney during the course of which Applicant's attorney learned for the first time the precise logic of the examiner in rejecting the claims on the basis of the non-patent literature Payette. Up to that point in time, Applicant's attorney was not fully informed that, while the invention itself could have patentable merit, the independent claims 1 and 6 could be improved to more precisely define the claimed subject matter in a manner that would avoid any possible conflict with the Payette literature.

Following the interview with the examiner, the claims were amended in a manner consistent with the interview and are believed to recite the inventive subject matter in a manner that avoids the Payette literature.

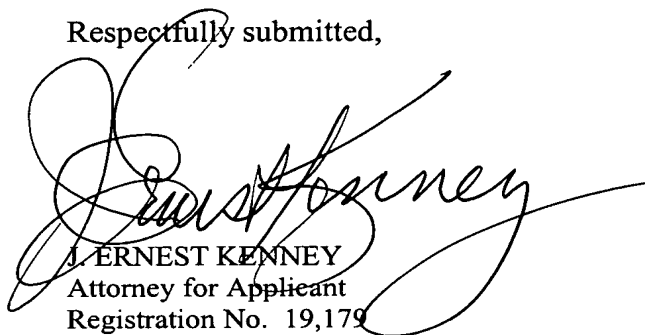
It is pointed out that no further search or detailed consideration needs to be given to the claims in view of the fact that the proposed amendments only clarify the meaning of the original claimed subject matter and do not introduce new substantive issues requiring detailed consideration as to the patentability of the claims.

The examiner is invited to contact the undersigned attorney by telephone if any issues remain that may be resolved by a telephone conference.

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Respectfully submitted,



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